

AMENDED IN SENATE AUGUST 19, 2010

AMENDED IN SENATE JULY 1, 2010

AMENDED IN ASSEMBLY MAY 6, 2010

AMENDED IN ASSEMBLY APRIL 26, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2064

**Introduced by Assembly Members ~~John A. Pérez and Bass Member~~
*Huber***

**(Coauthors: ~~Assembly Members Ammiano, Bradford, Cook, Eng,
Feuer, Fong, Fuentes, Furutani, Galgiani, Gilmore, Jones, Ma,
Saldaña, Swanson, Torlakson, and Torres~~)**

February 18, 2010

~~An act to add Section 50802.6 to the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect immediately. An act to add Sections 9133.3 and 53087.7 to, and to add Chapter 10 (commencing with Section 12790) to Part 2 of Division 3 of Title 2 of, the Government Code, relating to government salaries.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2064, as amended, ~~John A. Pérez~~ *Huber*. ~~Emergency Housing Shelter Operations Grant Account: notice of funding availability. State and local government: salary disclosure.~~

Under existing law, local governments are authorized to provide for the compensation of local elected and appointed officials, as specified.

The California Constitution authorizes the California Citizens Compensation Committee to establish the salaries for state officers, including constitutional officers and members of the Legislature.

This bill would require each general law or charter city, county, city and county, special district, school district, and joint powers agency to post on its official Internet Web site, and annually update, annual salary information pertaining to specified persons, including, among others, each elected or appointed official of that entity, thus imposing a state-mandated local program.

This bill would require each house of the Legislature to post on its official Internet Web site, and annually update, the annual salary for Assembly Members, Senators, and employees of the Legislature.

This bill would require each constitutional officer to post on his or her official Internet Web site, and update on an annual basis, the annual salary for that constitutional officer, any appointed or exempt deputies, and any appointed or exempt employees.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Existing law establishes the Emergency Housing and Assistance Fund, a continuously appropriated fund, that appropriates money to the Department of Housing and Community Development for the purposes of carrying out the Emergency Housing and Assistance Program. Existing law requires the Department of Housing and Community Development to issue a notice or notices of funding availability to potential applicants and designated local boards as soon as possible after funding becomes available for the Emergency Housing and Assistance Program.~~

~~This bill would require the Department of Finance to make a timely determination as to the amount of General Fund moneys within the Emergency Housing and Assistance Fund. The bill would require the Department of Housing and Community Development to issue a notice of funding availability to potential applicants and local boards, as applicable, indicating the amount of General Fund moneys, as determined by the Department of Finance, that is available for the shelter operations program, no later than 30 days after the effective date of the bill and to grant awards pursuant to the notice within 180 days of its receipt.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9133.3 is added to the Government Code,
2 to read:

3 9133.3. Each house of the Legislature shall post on its official
4 Internet Web site, and update on an annual basis, the annual salary
5 for the Assembly Members, Senators, and employees of each house
6 of the Legislature.

7 SEC. 2. Chapter 10 (commencing with Section 12790) is added
8 to Part 2 of Division 3 of Title 2 of the Government Code, to read:

9

10 CHAPTER 10. COMPENSATION DISCLOSURE

11

12 12790. Each constitutional officer subject to this part shall
13 post on his or her official Internet Web site, and update on an
14 annual basis, the annual salary for that constitutional officer, any
15 appointed or exempt deputies, and any appointed or exempt
16 employees.

17 SEC. 3. Section 53087.7 is added to the Government Code, to
18 read:

19 53087.7. Each general law or charter city, county, city and
20 county, special district, school district, and joint powers agency
21 formed pursuant to the Joint Exercise of Powers Act (Chapter 5
22 (commencing with Section 6500) of Division 7 of Title 1) shall
23 post on its official Internet Web site, and update on an annual
24 basis, the annual salary received from the local governmental
25 entity by each elected or appointed official, superintendent, deputy
26 superintendent, assistant superintendent, associate superintendent,
27 general manager, city manager, county administrator, and other
28 similar chief administrative officer or executive officer.

29 SEC. 4. In enacting this act, the Legislature finds and declares
30 that the disclosure of salary information for city and county elected
31 and appointed officials directly contributes to the fiscal integrity
32 and stability of local governmental agencies in this state, and is
33 therefore an issue of statewide concern and not a municipal affair

1 *as that term is used in Section 5 of Article XI of the California*
2 *Constitution. Therefore, this act shall apply to all cities and*
3 *counties, including charter cities and charter counties.*

4 *SEC. 5. If the Commission on State Mandates determines that*
5 *this act contains costs mandated by the state, reimbursement to*
6 *local agencies and school districts for those costs shall be made*
7 *pursuant to Part 7 (commencing with Section 17500) of Division*
8 *4 of Title 2 of the Government Code.*

9 ~~SECTION 1. The Legislature finds and declares all of the~~
10 ~~following:~~

11 ~~(a) In recent years, California has seen a substantial increase in~~
12 ~~its homeless population as a result of the national economic~~
13 ~~downturn.~~

14 ~~(b) The state's homeless population includes many of our~~
15 ~~society's most vulnerable, including children, emancipated foster~~
16 ~~youth, the unemployed, families undergoing home foreclosure or~~
17 ~~other severe financial stress, individuals with mental health and~~
18 ~~drug-addiction issues, and veterans (who make up approximately~~
19 ~~20 percent of the state's homeless population).~~

20 ~~(c) The Department of Housing and Community Development,~~
21 ~~through the Emergency Housing and Assistance Program, awards~~
22 ~~facility operations grants from the Emergency Housing and~~
23 ~~Assistance Fund for emergency shelters, transitional housing~~
24 ~~projects, and supportive services to assist homeless individuals~~
25 ~~and families.~~

26 ~~(d) It is critically important that these facility operations grants~~
27 ~~be made available as soon as possible to fund the shelters, projects,~~
28 ~~and services necessary to alleviate the unfortunate plight of the~~
29 ~~many Californians who are currently homeless.~~

30 ~~SEC. 2. Section 50802.6 is added to the Health and Safety~~
31 ~~Code, to read:~~

32 ~~50802.6. (a) For purposes of this section, the Department of~~
33 ~~Finance shall make a timely determination as to the amount of~~
34 ~~General Fund moneys in the Emergency Housing and Assistance~~
35 ~~Fund.~~

36 ~~(b) No later than 30 days after the effective date of the act adding~~
37 ~~this section, the Department of Housing and Community~~
38 ~~Development shall issue a notice of funding availability to potential~~
39 ~~applicants and local boards, as applicable, indicating the amount~~
40 ~~specified in subdivision (a) that is available for the shelter~~

1 operations program. The department shall grant awards pursuant
2 to the notice of funding availability within 180 days after issuing
3 that notice.

4 ~~SEC. 3. This act is an urgency statute necessary for the~~
5 ~~immediate preservation of the public peace, health, or safety within~~
6 ~~the meaning of Article IV of the Constitution and shall go into~~
7 ~~immediate effect. The facts constituting the necessity are:~~

8 ~~In order to make funds available for shelter operations as soon~~
9 ~~as possible, it is necessary for this act to take effect immediately.~~